LEGISLATIVE BUSINESS.

THE TRAVANCORE (MATCHES AND OTHER ARTICLES) EXCISE DUTY BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to introduce a Bill for imposing excise duty on matches and other articles. The Bill has been published in the Gazette with a Statement of Objects and Reasons and I beg to move that the Bill be read in Assembly.

MR. R. M. STATHAM (*Director of Public Instruction*): I second it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I oppose the introduction of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, my motion has been seconded I shall now briefly explain the principles involved in the Bill. The main purpose of the Bill is to levy an excise duty on matches manufactured in Travancore. The rate of duty is specified in clause 4 of the Bill, and the proposal is to levy a duty per gross of boxes having regard to the content of each box. As the honourable members may see from clause 4 of the Bill, sub-clauses (ii) and (iii) lay down that the duty is Br. Re. 1 per gross of boxes where the average number of matches in a box is 40 or less and that it is Re. 1 as. 8 per gross of boxes where the content of each is more than 40 matches but less than 60 and Rs. 2 per gross of boxes where the number in a box is more than 60 but not more than 80. This rate of duty works out at about 3 cash per match box where a box contains 40 matches and it will be proportionately larger where the content of the box is larger. For instance, if the content is 80 matches, the duty will be about 6 cash per box. The main principle involved in this Bill is the imposition of the duty.

Clauses 7 to 9 provide for the procedure and machinery for the efficient collection of the duty. Clauses 5 and 10 to 16 provide for penalties for the evasion of the payment of duty and for contraventions of the rules of procedure, etc. Clause 18 provides for the rule-making power. In clause 20, the power is proposed to be taken by Government for the imposition of duty on such other articles as Government may think it necessary to do so from time to time. Honourable members will thus see that the principle involved in the Bill is very brief and simple.

The immediate occasion for the introduction of this Bill is the imposition of a similar duty in British India by an Act passed there very recently, *viz.* the Match Duty Act passed by the Indian Legislative Assembly for the whole of British India. The rate of duty proposed by this Bill is exactly the same as that proposed by the British Indian Legislature. And, in fact, the procedure and the machinery for the collection of the duty and the other provisions of the proposed Bill are practically the same as those laid down by the Indian enactment. In fact, the Bill is but an adaptation of that Act, Honourable

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[Mr. Kayalam Paramesvaran Pillai.]

Members who have been following the proceedings of the Indian Legislature would have noticed that the British Government have invited the co-operation of the Indian States in the matter of the efficient collection of this duty and that for a very good reason. The Indian States and British India lie interspersed and where such matters have to be regulated it is very necessary in some cases that the States should act in unison with British India. In this particular case, in regard to the imposition of the match duty, it will be realised that co-operation has become very necessary for some special reasons. If there is no co-operation and if the States do not impose a like duty for their territories, there will be an unfair competition between the industry in British India on the one hand and the States on the other. More than this, if there is no equivalent duty in the States, there is likely to be undue transference of the match industry from British India to the States, because the machinery required for making matches is very small and light and can be easily moved. Furthermore, there is also the fact that in the nature of the matches it is very easy to smuggle matches from the States into British India and such smuggling will happen if there is no equivalent duty in the States. Therefore the British Government invited the co-operation of the States and requested them to impose similar duty in their States; and as I said before, the Honourable Members who have been following the Government of India Finance Member's speech must have noticed that most of the States have agreed to co-operate. It is accordingly necessary that Travancore also should agree to co operate. It is in the light of this important fact that this Bill has been introduced.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know from the member what was the reason for imposing such a duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): For revenue purposes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Does that reason exist here?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Considerations of revenue need not be left out of account even here. But I may say frankly that the immediate cause is not any such consideration, but it is the necessity for the co-operation of Travancore with British India. We are all members of the same Indian Empire and it is necessary that, when the major partner of British India is trying to regulate matters in their territories, we should not take a hostile attitude, or any attitude which in the result is hostile.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether all the Indian States have entered into this agreement?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): From the honourable the Finance Member's speech it will be seen that a great majority of the Indian States have signified their willingness to enter into agreement and to introduce corresponding duty on matches in their territories also.

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Sir, I was saying that the immediate occasion—although revenue consideration need not be quite out of our minds—for bringing this Bill today is the necessity for Travancore to co-operate with British India as we are all members of the same Indian Empire; it is necessary that we should not take any such attitude as would defeat the endeavours made by British India in legitimate ways to raise their revenues.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know from the member whether our Government could expect the same kind of co-operation from the British Government in the matter of cocoanut industry?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, that is beyond my purview; I am now concerned only with this Bill; but I may certainly venture to suggest that as regards all such matters we may very reasonably expect the co-operation and assistance of the British Indian Government.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Is it possible for us to get any idea as to the additional revenue that we can expect as a result of this duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The arrangement is that the proceeds of the duty levied here and in British India will be pooled together and distributed amongst the States and British India in proportion to their population: and it is expected that we will get about 4 or 5 lakhs of rupees annually in the division, or some such figure. That is why I submitted that revenue need not be kept entirely out of consideration. But, of course, as I said, to put it frankly, the consideration which mainly and primarily induces Government to come forward with this Bill is the desire to co-operate with the British Indian Government.

MR. S. J. NAIR (*Nedumangad*): May I know what the member means by the expression 'and other articles' in the title of the Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, that does not arise at this stage when we are considering the general principles of the Bill; none the less, I have no objection to enlighten the member. The idea is that the Government may take, under this Bill, power to impose similar excise duty on other articles also.

MR. EDAVANATT S. PADMANABHA MENOM (*Shertala I*): May I know whether there is any definite understanding, in regard to this duty on matches, between this Darbar and the British Indian Government?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know whether there is any provision in the British Indian Act similar to the provision in clause 6 of this Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am afraid, at this stage, such details do not arise; we are now dealing with the general principles of the Bill.

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PRESIDENT: We are now discussing the general principle of the Bill. There will certainly be a stage, later on, when members will have ample opportunity of discussing details, clause by clause.

MR. A. THANU PILLAI (*Trivandrum—Rural*): With reference to the statement that our Government can expect an additional revenue of about 4 or 5 lakhs annually on account of this measure, may I know the total additional cost to the Travancore public on account of this duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): As I said, the duty proposed to be levied per box containing 40 matches is about three cash, so that, naturally, the price of such a match box will be raised by three cash.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Is the member in a position to give us at least an approximate idea of the additional cost, to the people of Travancore as a whole, on account of this duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): All that I can now say is that every buyer of a match box containing 40 matches will have to pay three cash more on each box that he buys. Definite statistics, as to the total number of match boxes consumed in the State in a year, are not available.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know whether match-making is not a profitable cottage industry and whether the proposed measure will not stifle that useful industry?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It will be seen from the British Indian Enactment—I suppose members have read it—that no special concession is made in regard to the so-called cottage industry in match-making. Those who have followed the debate on this measure in the British Indian Legislative Assembly will have noticed also the special reason that was urged by the Honourable the Finance Member for not giving any concession for the cottage industry. Perhaps I may read the relevant portion from the speech of the Honourable the Finance Member:—

> "The Bill will provide for no concession in favour of the so-called 'cottage industry' which really means nothing more than the dipping in chemical mixtures of splints made in factories and the pasting of paper wrappers and of strips carrying other chemical mixtures on boxes made from veneers made in factories. Any such concession would make evasion of the duty and an artificial attack on the position of regular match factories materially easy and we are justified in allowing this consideration to prevail by the fact that the Tariff Board, in paragraph 134 of their Report regarding the grant of protection to the match industry, definitely advised against any special measures which would have the effect of encouraging match-making as a 'cottage industry' because it was not suitable for such operations both on economic grounds and because of the dangerously inflammable nature of the materials used."

In this view, this Bill too does not make provision for any special concession to the cottage industry.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is not match-making now carried on in Travancore as a cottage industry?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I accept the information offered by the member; none the less, for the reasons advanced by the Honourable the Finance Member to the Government of India, which are quite applicable here also, I am not prepared to agree to any special concession being given to the cottage industry.

There is also one other fact which I may refer to in this connection. Although matches are manufactured in Travancore, it seems that there is a partiality on the part of our people to use British Indian and foreign matches, and most of our matches are exported to British India.

MR. T. K. ALEXANDER (*Kunnatnad I*): May I know the number of match factories in Travancore?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not at that just now.

Since our matches are mostly exported and our people use mostly matches made outside Travancore, whether we impose this excise duty or not, our people will be practically paying an equivalent duty on the matches they consume.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether, in that case, we would not be encouraging a local industry if we do not impose this duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a matter of opinion; I do not think that local industry will be helped by our not imposing the duty, because it is foreign matches that are mostly used locally. Anyhow our people will not be benefited by our not having this duty. Further, as I said, the paramount consideration for the introduction of this Bill is the need to co-operate with the British Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): In British India, they have imposed a duty on sugar; are we going to have it here?

PRESIDENT: That is not now before the House. We have not burnt sugar yet. (*Laughter.*)

MR. A. THANU PILLAI (*Trivandrum-Rural*): Do we *make* more matches or *consume* more?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We have not got definite statistics in the matter; so far as I have been able to understand, we *consume* more matches than we are *making*. Further, as I said, locally made matches are exported largely and it is foreign matches that are largely used here.

One Honourable member asked me whether any information was available about the number of match factories in Travancore. Although reliable statistics are not available, I may say that there are four factories which make matches on a large scale, and about 2 lakhs of grosses of match boxes were made in Travancore in 1108.

MR. A. THANU PILLAI (*Trivandrum-Rural*): With reference to the statement by the Law Member about the need for co-operation with the British Government, may I know whether the Government of

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India merely invited our Government (*after* imposing the duty there) to co-operate, or whether they consulted the Travancore Government *before* deciding upon this measure?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They have been in correspondence with the Travancore Government on this matter even before the Bill was introduced in British India.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether the Government have in view any specific articles, now that they have introduced the expression 'and other articles' in the title of the Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No.

PRESIDENT: The House can deal with that when we come to that portion of the Bill after accepting the general principles of the Bill.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether the corresponding British Indian Enactment is confined to matches or relates to other articles also?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is confined to matches only.

In the circumstances explained, I hope that the House will accept the principle of the Bill.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I oppose the Bill; and in so doing, I may say at the outset that I feel rather diffident. Nevertheless, I feel confident about my arguments against the Bill.

The most important reason advanced by the Law Member in favour of the introduction of this measure is, if I have understood him correctly, co-operation with the British Government. Therefore, if any one were to say that he opposes this measure, the irresistible inference would be that it is sheer absence of co-operation (on his part) with the British Government. Sir, to my mind, the Law Member rests his Bill on a very wrong issue. I have always understood, Sir, that a Bill is introduced in our Legislature with the definite purpose of subserving the interests of the subjects of His Gracious Highness the Maha Raja for which ostensible and only object the Legislature exists. Now therefore the question is whether this Bill subserves the interests of the people. Sir, I refuse to believe it is so. On the other hand, it is distinctly against public interests. In these days of economic depression, it hits hard the poor section of the people. In reply to an interruption, the Law Member stated that the total amount collected by way of excise duty on matches would be distributed on the population basis. Sir, 90 per cent of the people are poor. The Law Member admits that the distribution is to be made on the basis of population. But it is the poor people, who form the bulk of the population, that are going to be hit hard by this measure. Sir, no one can live without matches. Even the poorest man, who has to live without a morsel of

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food for a day or two, requires matches to light his *beedi* or cigarette in order to get the satisfaction of hunger in that kind of self-deception. I am against this Bill, firstly, because it hits hard the poorest among the people.

Secondly, in regard to this question of co-operation, I do not believe that there is any real force in that argument. There does not seem to be any danger or catastrophe now in British India. They do not seem to stand in need of our valiant co-operation. In fact, I do not think that they really would have demanded our co-operation. They would have stated merely, 'We are going to impose an excise duty on matches. Why not you also do it?' Perhaps in British India there may be need for additional revenue. But, so far as we are concerned, is this the proper time? I ask the Law Member whether any member, with any sense of responsibility, will now come forward with a measure of this kind. Is it proper on the part of Government to ask this House to give its assent to a measure of this kind now? There is no scope or possibility whatsoever of any demand for co-operation with the British Government. Perhaps the Law Member may fall back upon so many precedents or the so-called convention, whether it is healthy or not, that whatever measure is introduced in British India *ipso facto* it should be copied here also. I, for one, refuse to accept it. There may be certain justifying circumstances which may warrant the introduction of the measure in British India. But that is no reason why the Travancore Government should immediately think of imitating what has been taking place in British India. It is true that many Bills have been introduced here whether they were warranted by the conditions obtaining here or not, but only in conformity with the precedents. Let us at least take this opportunity to raise the dignity of the House by taking exception to a measure which is sought to be introduced here *because* it has been introduced in British India. I say frankly and bluntly that, even if it is a case of co-operation with the British Government, we are not in need of such Bills. We wish to give them as much help as possible. We wish to render them help or co-operation. But it is really pitiable that this Government thought it fit to introduce an excise duty on matches at this juncture. The Law Member himself seems to have appreciated the raising of the duty on matches imported into British India. In order that our own industry might thrive, let us take the advantage of allowing our own local industry to go scot-free from any such excise duty.

There is absolutely no necessity for any co-operation whatsoever from this Government. I may say that, if there be any opposition in this House to the measure, if the House were to record its opposition to this Bill, it is not going to mean absence of any idea of co-operation with the British Government. That will be a wrong view to take. It is not at all the object with which the Bill is being brought. It is mere imitation. Let us, at least from this moment, spurn the so-called convention of assimilating whatever is done in British India. Let us, from this moment, take a new turn and cease from introducing any

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measure which has been passed in British India if there is no warrant for it here, particularly in these days of distress and more particularly as the Bill indirectly hits the poor people very hard.

With these words, I submit that we should not accept the terrible responsibility of imposing duties on such small local industries as the manufacture of matches, which are only just beginning to thrive.

MR. K. R. ELENKATH (*Kalkulam I*) : I also rise to oppose the principle of the Bill for reasons more than one. I do not want to go back to the reasons attaching undue importance to co-operation with the British Government which has been sufficiently dealt with by my friend Mr. Sivatanu Pillai. Sir, whenever our Government comes forward with the argument of co-operation with some one, they very often forget that co-operation should be to the advantage of this State. Sir, it was in the last session of the Assembly, if I remember correct, that one of the official members told us that our Government approached the British Government on the question of the increase in the import duty on cocoanuts and they were unable to give any relief as yet ; and if again I remember correct, the Dewan, in reply to the address presented by the Alleppey Chamber of Commerce, said that unfortunately and perhaps because we are farthest south in India the British Government has, it seems, failed to hear the voice from this far-off corner. Sir, in co-operation we should always see that our advantage is not at stake or that at least an equal advantage is maintained for our State with the British Government.

Sir, the Law Member told us that it is approximately three cash per head of population in the State that the people will have to lose on this account. I would assure him that it is not exactly three cash but nearly eight cash that one will have to lose ; for even at the present moment, when the match merchant has had the distant scent of the introduction of such a Bill, he has raised the cost of the match boxes. So, it is not exactly the amount of duty that is imposed that affects the price, but the avaricious tendency of the merchants to take advantage of the measure also goes a long way in fixing the price to the detriment of the people in general.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Will the member kindly state the price of matches at present?

MR. K. R. ELENKATH (*Kalkulam I*) : Different prices prevail in different markets. In some villages a match box is available for four cash. But there are places where we can get it only for 12 cash. On these grounds, Sir, I strongly oppose the motion

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Sir, I wish to oppose the introduction of the Bill on a ground which, I think, will appeal to the whole House. I do not wish to address the House first, on the financial aspect of the question. But I do wish to address the House on a question of self-respect, before they think of considering any other

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question. To bring home the point, may I, Sir, with your permission draw the attention of the House to clause 20 which, in my opinion,—I do not wish to characterise it very strongly —is highly objectionable. Clause 20 reads thus :—

"20 (1) It shall be competent to Our Government to levy a duty of excise on any articles (not being matches or sugar) that may be notified in that behalf by Our Government in Our Government Gazette, and such duty shall be levied at such rates as may from time to time be prescribed by Our Government.

(2) Our Government may by notification in Our Government Gazette declare that the provisions of this Regulation relating to the duty on matches, shall, with such modifications and alterations as they may consider necessary or desirable to adapt them to the circumstances, be applicable in regard to like matters in respect of the duty levied or leviable under the provisions of sub-section (1).

Sir, in this clause, the mentality behind these words becomes obvious when we see that the clause is absent in the Bill that has been introduced in British India. Sir, it is 'new despotism' with a vengeance. I am afraid that the Law Member may bring a Regulation to-morrow to say that by a notification in the Gazette all legislation can be passed and in this House we need not be worried about it. That seems to be the implication of that clause 20. It has to be very seriously considered. What prompted the Law Member to put in this clause ? Did he think that this House will swallow it ? Did he expect that this House will allow him to play ducks and drakes with duties and tariffs on the articles produced in this country ? That seems to be the idea, as can be seen from the careless, negligent and irresponsible way in which the question has been dealt with. I wish to enter my emphatic protest against the attempt of the Law Member to minimise the powers of this House and to arrogate to Government the powers which we have been legitimately given by our Sovereign by virtue of a Regulation. He wants to arrogate those powers by the rule-making powers given to Government. Sir, that is highly objectionable and I wish to point out to the House that they should throw out this Bill on that ground ; and, unless the Law Member comes with a Bill bereft of that clause, we are not prepared to look into it or even touch it with a pair of tongs.

Sir, with regard to the principle of the Bill, it is very idle to discuss it on assumptions and not on facts. This is an important measure. It is an excise duty that is sought to be imposed on matches. We may be, under the existing convention, compelled to introduce it whether it may be advantageous to us or disadvantageous to us. We are not given any information in the speech of the Law Member or in the short passage of the statement of objects and reasons. We are not given any useful information as to our position in this matter. We do not know the condition of the match industry here. The Law Member says he is not aware of the total consumption of matches in the State. He is not in a position to say definitely whether the consumption in the State is more than the production of matches in the State. He is not prepared to say whether the Government pressed home to the

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[Mr. K. Kunjukrishna Pillai.]

Government of India, when this question was introduced, the possible loss that might occur if our production is greater than our consumption. Are we going to lose by allowing to pool the taxes that we get on matches or are we going to gain? We have absolutely no information. We are supplied with scanty materials or no material. The Bill is brought and the important reason that is stated is that in British India it has been introduced and it seems necessary and expedient to introduce it here also. How it is necessary and how it is expedient must be explained. We cannot give our consent otherwise, however necessary it may be. We cannot give it on such scanty information, on such scanty kowledge of facts. When we are dealing with legislation and when we are asked to give our consent to a piece of legislation, we are entitled, Sir, to know the full facts about the question. Before we look into this Bill or accept the principle underlying this Bill, we want to know where we stand, whether we stand to lose or whether we are going to gain by the pooling of the resources. Is the pooling only with regard to the duty on matches or does the pooling extend to all resources of the whole of India by way of excise duty? Are we to share the resources of all excise duties on a population basis by pooling? That may be advantageous. As it is, we have no definite information on which we can proceed to give our assent to the Bill.

The Law Member has elaborately set out one ground for the acceptance of the Bill and that is our duty to co-operate with British India in particular and with the British Empire in general. Well, they are all good sentiments which many may not dissent from but they are, so far as I am concerned, quite irrelevant for serious consideration of a piece of legislation which is a matter that has to be considered on the merits of it, strictly, scientifically and from a financial and economic point of view. What is the financial implication of this? Is this excise duty such as can be levied on the article? Will the industry or the manufacture of matches in this State bear this? What will be the implication of imposing this duty and getting our match industry killed? Where will be the markets for our matches and our profit? These questions have got to be considered and answered. But information has not been given on these questions.

On the ground that the Law Member has inroduced clause 20 which is an affront to the very existence of the Legislature and of the powers conferred upon it by the Sovereign to legislate and which is an attempt to arrogate to Government by rule-making, by a dubious method, the powers that have been conferred to us by our Sovereign by means of a Regulation, and on the ground of scanty information on important topics, I wish that the Bill should not be introduced now, but it may be brought up at a later period. If it is very necessary, it may be brought in the next session after giving us greater details about the figures of consumption and the possible implication of this duty on the industry and on the country. On these grounds, I oppose the introduction of this Bill.

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The House adjourned for lunch at 1 P. M. and re-assembled at 1-45 P. M.

OATH OF OFFICE.

Mr. S. Thiraviam Nadar was sworn in.

THE TRAVANCORE (MATCHES AND OTHER ARTICLES) EXCISE DUTY BILL. - (contd.)

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Sir, we are at this stage considering the principle underlying this Bill. The Bill, as it is now presented to the House, relates to matches and a group of other nebulous articles about which the House knows nothing. Clause 20 and a number of other sections make provision (*louder, please*) for imposing and realising an excise duty in regard to any article on which the Government may subsequently think to impose the same. To put it shortly, this amounts to handing a blank cheque to the Government, that is, to the executive, for the purpose of legislating for the State. Such a *carte blanche*, however much we may trust the executive section of the Government, (*louder please*) I am not prepared to confide to the Government. No doubt, there is a tendency, even in England at present, to frame what is known as "skeleton legislation" and to leave it to the executive to fill it in. But this Bill, goes even beyond such steps and as such I certainly oppose that portion of the Bill which seeks to hug in unspecified and non-descript things. The co-operation which the Paramount Power expects from this Government certainly does not cover this branch of the Bill for the learned Law Member himself admitted that the British Indian Act upon this subject does not contain any parallel provision. That is another argument why this portion of the Bill should not have been presented to this House.

Another portion of the Bill, which, I fear, I have to object to, is the provision in Clause 3, where this Bill when passed into law, is made to recoil retrospectively, to the first of April 1934. It is rather an unworkable proposition for the excise duty that is now sought to be imposed is in respect of the manufacture and issue of matches under this measure. Both these things must have taken place already before the law saw the light. We are today on the 21st of May 1934. Nearly seven weeks have gone by since the date the Law Member keeps in view as the date for the operation of this Bill. That is another aspect.

Yet another aspect, though it may be covered by the British Indian Act upon the subject, is presented by other Sections, that is to say, in case of default in the payment of excise duty that is contemplated under this measure, the Excise authorities themselves may realise four times the amount of the duty that is normally payable. In addition to that if a conviction takes place before a Magistrate, it is further provided that, the Magistrate is at liberty to impose four times the amount of the duty as a fine. In the result, eight times the duty may be realised from any defaulter under this Regulation. Whatever be the merits of the provision as regards penalty, as regards what we realised under

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